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7 *Attorneys for Joshua Stephen Fox*

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 JOSHUA STEPHEN FOX, *et. al.*

14 Defendants

Case No. 2:18-cr-0382-RFB-VCF

**JOINT STIPULATION TO CONTINUE
SENTENCING HEARING OF
DEFENDANT JOSHUA STEPHEN FOX**

15 Certification: In accordance with Local Criminal Rule 12-1(c), Defendant's counsel certifies
16 that this stipulation is timely filed.

17
18 Pursuant to Federal Rule of Criminal Procedure 45(b) and this Court's Local Rule of
19 Criminal Practice 45-1, the parties respectfully request that the Court approve this stipulation
20 seeking to extend by one week (or to a date convenient for the Court) the Sentencing Hearing
21 pertaining to Defendant Joshua Stephen Fox currently scheduled for August 22, 2019. See ECF
22 #78. In support of this stipulation, the parties rely upon the following:

- 23
24 1. Defendant Fox was named in an Indictment filed with the Court on November 28,
25 2018. ECF #1.
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27 2. The United States and Mr. Fox entered into a negotiated plea agreement which was
28 filed with the Court on May 23, 2019. ECF #79.

- 1 3. That same day, May 23, 2019, the Court issued a Notice setting a Sentencing
- 2 Hearing with respect to Mr. Fox's Plea Agreement for August 22, 2019.
- 3 4. Since the Court's May 23, 2019 Notice, undersigned counsel for Defendant met with
- 4 his client to prepare for the upcoming hearing and has been diligently preparing for
- 5 it. However, due to an unexpected family commitment requiring undersigned
- 6 counsel to drive to Reno, Nevada on August 22, 2019 (to help his son relocate), the
- 7 current date for the Sentencing Hearing is inconvenient. Undersigned counsel's co-
- 8 counsel, Paul S. Padda, Esq., will be in Los Angeles, California on another client
- 9 matter and not able to cover the Sentencing Hearing.
- 10 5. Based upon undersigned counsel's good relationship with his client and the desire to
- 11 provide him with the proper representation at his Sentencing Hearing, he is filing
- 12 this stipulation seeking the Court's approval to continue the hearing to August 29,
- 13 2019 or a date thereafter that is convenient for the Court.
- 14 6. Undersigned counsel has communicated regarding this matter with government
- 15 counsel, Assistant United States Attorney Allison Reese, Esq., who has indicated she
- 16 has no opposition to a one-week continuance.
- 17 7. Mr. Fox will not be prejudiced by a short continuance of his Sentencing Hearing as
- 18 he is currently in custody at the Southern Nevada Detention Center and has agreed,
- 19 pursuant to the negotiated Plea Agreement filed with the Court on May 23, 2019, to
- 20 an additional period of custody to following the entry of judgment in this case.
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For the reasons set forth herein, the parties respectfully request that the Court approve this stipulation for a continuance of the Sentencing Hearing currently scheduled for August 22, 2019.

/s/ Allison Reese

Allison Reese, Esq.
Assistant United States Attorney
Counsel for the United States

Dated: August 20, 2019

Respectfully submitted,

/s/ Tony Abbatangelo

Tony Abbatangelo, Esq.

Counsel for Joshua Stephen Fox

Dated: August 20, 2019

IT IS ORDERED:

For good cause, the Court hereby approves the parties' joint stipulation seeking to continue the Sentencing Hearing currently scheduled for August 22, 2019. Defendant Joshua Stephen Fox's sentencing hearing is rescheduled to the following date and time:

Date: September 3, 2019

Time: 11:00 AM



RICHARD F. BOUWLARE, II
UNITED STATES DISTRICT JUDGE
DATED: August 21, 2019

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this day, August 20, 2019, a true and correct copy of the foregoing document was served by e-service via the Court's electronic service system (CM/ECF Pacer) upon all registered participants.



Arelice Parra, Paralegal